

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUGUST 28, 1989

Julia Kniesly
Safety Officer
Columbia University
630 W. 168th Street
New York, NY 10032

Dear Ms. Kniesly:

Thank you for your August 3, 1989 letter requesting an interpretation of the Federal medical waste regulations at 40 CFR Part 259. In your letter, you inquired whether a facility that incinerates medical waste that was generated on-site can use a weight-averaging method to compile the information required by 40 CFR 259.61(a).

According to your letter, your facility packages regulated medical waste in bags that are a different color from other waste bags. By obtaining an average weight for the regulated medical waste bags, and multiplying it by the number of regulated medical waste bags incinerated per incineration cycle, you could obtain the information required by Section 259.61(a)(1)(iv). We would note that the quantity and density of waste in each bag may vary widely; we suggest that you obtain averages for the different waste sources in your facility, and periodically check the estimate against actual weights to ensure that the estimates remains accurate.

Section 259.61(a)(1)(iii) requires that generators who incinerate on-site keep records of the total quantity of medical waste incinerated, per incineration cycle. Under the scheme you have outlined, the regulated medical waste estimates you obtain must be combined with the "other" (non-regulated) medical waste quantities. The regulation does not specify whether the quantity can be an estimate, but EPA views an estimate as acceptable. Thus, your facility could use the weight-averaging method described above to estimate the weights of the non-regulated medical waste, provided estimates are periodically checked against actual weights.

Finally, although Section 259.61(a)(1)(iii) and (iv) do not specify that weights must be recorded, the recorded information forms the basis for the on-site incinerator reports. The preamble to the Part 259 regulations explained that the incinerator information was being requested in terms of weight, and not volume (54 Federal Register 12352, March 24, 1989). The incinerator reports, required under Section 259.62(a), require that the quantities be reported in pounds. Thus EPA views the recordkeeping requirements in Section 259.61(a)(1)(iii) and (iv) to be quantity, by weight.

If you have any further questions, please contact Becky Cuthbertson at (202) 475-6713.

Sincerely,

Devereaux Barnes, Director
Characterization and Assessment
Division

cc: Region II